IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.8353 OF 2003

Mr.Vijay Killedar h/f Mr.Nitin Jamdar for the Petitioner.

Mr.Tejas Deshmukh for Respondents Nos.1A & 1B.

Office Notes, Office Memoranda of Coram, appearances, Court's order or directions	Court's or Judge's orders
	CORAM: D.K.DESHMUKH, J.
	DATED: 8TH JUNE,2005

P.C.:

By this petition the Petitioner challenges the order passed by the Appellate Court rejecting the application made by the Petitioner/Plaintiff for amendment in the plaint. Amendment in the plaint was sought on the ground that after decision of the suit, measurements of the lands were taken. In my opinion, this cannot be the ground for seeking an amendment in the plaint at the

appellate stage. I do not find that the order of the Appellate Court results in failure of justice. Petition under Article 227 of the Constitution of India, therefore, cannot be entertained. It is rejected.

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